

**TWELFTH DAY - JANUARY 20, 2006**

**LEGISLATIVE JOURNAL**

**NINETY-NINTH LEGISLATURE  
SECOND SESSION**

**TWELFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 20, 2006

**PRAYER**

The prayer was offered by Pastor Troy Harden, First Baptist Church, Pawnee City.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sheehy presiding.

The roll was called and all members were present except Senators Kremer and Loudon who were excused; and Senators Burling, Cunningham, Flood, Landis, and Mines who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the eleventh day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LR 273CA	Government, Military and Veterans Affairs (rereferred)
LB 1158	Business and Labor
LB 1159	Revenue
LB 1160	General Affairs
LB 1161	Natural Resources
LB 1162	Agriculture
LB 1163	Judiciary
LB 1164	Natural Resources
LB 1165	Revenue
LB 1166	Revenue
LB 1167	Education
LB 1168	Transportation and Telecommunications
LB 1169	Judiciary

LB 1170	Government, Military and Veterans Affairs
LB 1171	Revenue
LB 1172	Transportation and Telecommunications
LB 1173	Urban Affairs
LB 1174	Urban Affairs
LB 1175	Urban Affairs
LB 1176	Urban Affairs
LB 1177	Health and Human Services
LB 1178	Health and Human Services
LB 1179	Health and Human Services
LB 1180	Judiciary
LB 1181	Judiciary
LB 1182	Government, Military and Veterans Affairs
LB 1183	Revenue
LB 1184	Government, Military and Veterans Affairs
LB 1185	Government, Military and Veterans Affairs
LB 1186	Natural Resources
LB 1187	Natural Resources
LB 1188	Judiciary
LB 1189	Revenue
LB 1190	Judiciary
LB 1191	Transportation and Telecommunications
LB 1192	Appropriations
LB 1193	Banking, Commerce and Insurance
LB 1194	Education
LB 1196	Judiciary
LB 1197	Agriculture
LB 1198	Revenue
LB 1199	Judiciary
LB 1200	Judiciary
LB 1201	Revenue
LB 1202	Banking, Commerce and Insurance
LB 1203	Education
LB 1204	Education
LB 1205	Judiciary
LB 1206	Revenue
LB 1207	Appropriations
LB 1208	Education
LB 1209	Revenue
LB 1210	Judiciary
LB 1211	Education
LB 1212	Revenue
LB 1213	Education
LB 1214	Natural Resources
LB 1215	Transportation and Telecommunications
LB 1216	Revenue
LB 1217	Revenue
LB 1218	Business and Labor
LB 1219	Appropriations

LB 1220 Health and Human Services  
LB 1221 Revenue  
LB 1222 Transportation and Telecommunications  
LB 1223 Judiciary  
LB 1224 Judiciary  
LB 1225 Natural Resources  
LB 1226 Natural Resources  
LB 1227 Judiciary  
LB 1228 Appropriations  
LB 1229 Appropriations  
LB 1230 Banking, Commerce and Insurance  
LB 1231 Health and Human Services  
LB 1232 Health and Human Services  
LB 1233 Health and Human Services  
LB 1234 Urban Affairs  
LB 1235 Appropriations  
LB 1236 Government, Military and Veterans Affairs  
LB 1237 Business and Labor  
LB 1238 Business and Labor  
LB 1239 Revenue  
LB 1240 Banking, Commerce and Insurance  
LB 1241 Urban Affairs  
LB 1242 Health and Human Services  
LB 1243 Education  
LB 1244 Health and Human Services  
LB 1245 Government, Military and Veterans Affairs  
LB 1246 Government, Military and Veterans Affairs  
LB 1247 Education  
LB 1248 Health and Human Services  
LB 1249 Urban Affairs  
LB 1250 Banking, Commerce and Insurance  
LB 1251 Revenue  
LB 1252 Judiciary  
LB 1253 Judiciary  
LB 1254 Health and Human Services  
LB 1255 Revenue  
LB 1256 Education  
LB 1257 Judiciary  
LB 1258 Appropriations  
LB 1259 Banking, Commerce and Insurance  
LB 1260 Judiciary  
LB 1261 Banking, Commerce and Insurance  
LB 1262 Education  
LB 1263 Judiciary

LR 275CA Revenue

(Signed) Pat Engel, Chairperson  
Legislative Council, Executive Board

**STANDING COMMITTEE REPORTS****Revenue**

**LEGISLATIVE BILL 791.** Indefinitely postponed.

**LEGISLATIVE BILL 858.** Indefinitely postponed.

**LEGISLATIVE BILL 897.** Indefinitely postponed.

**LEGISLATIVE BILL 974.** Indefinitely postponed.

(Signed) David Landis, Chairperson

**Health and Human Services**

**LEGISLATIVE BILL 994.** Placed on General File.

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Joann Schaefer - Chief Medical Officer and Director of Regulation and Licensure

Ron Sorensen - Behavioral Health Administrator

VOTE: Aye: Senators Jensen, Byars, Cunningham, Erdman, Johnson, Stuthman and Howard. Nay: None. Absent: None.

(Signed) Jim Jensen, Chairperson

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 19, 2006, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

Amack, Angela K.

Credit Management

Grand Island Area Economic Development Corporation

Grand Island Public Schools

South Platte United Chambers of Commerce

Belschner, Shanna

Children and Family Coalition of Nebraska

Berryman, Scott

Blackwell Sanders Peper Martin LLP

- Boehm, John M.  
Mortgage Association, Nebraska
- Cavanaugh Law Firm, PC, LLO  
City of Omaha, Mayor
- Curtis, Carol A.  
AstraZeneca Pharmaceuticals
- Gossman, Abigail  
MedImmune, Inc.
- Hallstrom, Robert J.  
Appraisers, Nebraska Coalition of
- Hollingsead, Andrew  
Tax Research Council, Inc., Nebraska
- Hybl, Michael G.  
Ignition Interlock Systems of IA, Inc.
- Kamm, Richard D.  
Adams Central Junior-Senior High  
Northwest High School  
Wakeview Community Schools
- Keigher/Rasmussen & Associates, LLC  
Northwestern Lumber Association
- Krebsbach, Laura  
Sierra Club, Nebraska
- Krusemark, Cortni L.  
Occupational Therapy Association, Nebraska
- Kulesher, Kate M.  
Wyeth
- Kutilek, William R.  
Cooperative Council, Nebraska
- Nilsen, Patrick M.  
Carpenters District Council of Kansas City & Vicinity
- O'Hara, Lindsay & Associates, Inc.  
Valmont Industries, Inc.
- Peters, William E.  
Buffalo Association, Nebraska State

Ruth Mueller Robak LLC  
Iron and Steel Manufacturing Group, Nebraska  
Lock/Line, LLC  
Lower Republican NRD

Smith, Steve  
Water Claim

Wetzel, David  
Dairy Group, Nebraska

## REPORTS

The following reports were received by the Legislature:

**Roads, Department of**  
State Highway Commission Quarterly Report  
**Secretary of State**  
Initiative 300 Reports Summary of Activity 2005 (LB 1193, 1998)

## GENERAL FILE

**LEGISLATIVE BILL 72.** Senator Stuhr renewed her pending amendment, AM1841, found on page 206 and considered on page 414, to the Standing Committee amendment.

Senator Stuhr moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

The Stuhr amendment was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the Standing Committee amendment:

FA355

Amend AM1841

P. 8, line 19 strike "licensee" and insert "license"

The Chambers amendment was adopted with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

Senator Chambers offered the following amendment to the Standing Committee amendment:

FA356

Amend AM1841

P. 2, line 18 strike "officials" and insert "personnel"

Senator Chambers moved for a call of the house. The motion prevailed with 21 ayes, 1 nay, and 27 not voting.

The Chambers amendment was adopted with 26 ayes, 0 nays, 13 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

Pending.

### **AMENDMENT - Print in Journal**

Senator Hudkins filed the following amendment to LB 790:  
AM1929

- 1 1. On page 2, lines 9 and 11, strike "or animals".

### **STANDING COMMITTEE REPORTS** **Natural Resources**

**LEGISLATIVE BILL 792.** Placed on General File as amended.  
Standing Committee amendment to LB 792:  
AM1937

- 1 1. Insert the following new section:
- 2 Sec. 3. Since an emergency exists, this act takes effect
- 3 when passed and approved according to law.

**LEGISLATIVE BILL 818.** Placed on General File as amended.  
Standing Committee amendment to LB 818:  
AM1936

- 1 1. Insert the following new section:
- 2 Sec. 3. Since an emergency exists, this act takes effect
- 3 when passed and approved according to law.

(Signed) Ed Schrock, Chairperson

### **NOTICE OF COMMITTEE HEARINGS** **Business and Labor** Room 1524

LB 1237	Monday, January 30, 2006	1:30 p.m.
LB 1238	Monday, January 30, 2006	1:30 p.m.

(Signed) Douglas Cunningham, Chairperson

**Appropriations**  
Room 1003

LB 1060	Monday, January 30, 2006	1:30 p.m.
LB 1061	Monday, January 30, 2006	1:30 p.m.
LB 1062	Monday, January 30, 2006	1:30 p.m.

Monday, January 30, 2006	1:30 p.m.
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AGENCY 37 - Workers' Compensation Court

AGENCY 75 - Investment Council

AGENCY 85 - Public Employees Retirement Systems

AGENCY 65 - Department of Administrative Services

LB 1131	Monday, January 30, 2006	1:30 p.m.
LB 931	Monday, January 30, 2006	1:30 p.m.
LB 1235	Monday, January 30, 2006	1:30 p.m.

(Signed) Don Pederson, Chairperson

**Transportation and Telecommunications**  
Room 1113

LB 1222	Monday, January 30, 2006	1:30 p.m.
LB 1085	Tuesday, January 31, 2006	1:30 p.m.
LB 800	Tuesday, January 31, 2006	1:30 p.m.
LB 1069	Tuesday, January 31, 2006	1:30 p.m.
LB 1008	Tuesday, January 31, 2006	1:30 p.m.
LB 789	Tuesday, January 31, 2006	1:30 p.m.
LB 1071	Tuesday, January 31, 2006	1:30 p.m.

(Signed) Tom Baker, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 72.** Senator Chambers offered the following amendment to the Standing Committee amendment:

FA357

Amend AM1841

P. 3, line 23 strike "may" and insert "shall".

Senator Chambers moved for a call of the house. The motion prevailed with 18 ayes, 1 nay, and 30 not voting.

The Chambers amendment was adopted with 30 ayes, 0 nays, 8 present and not voting, and 11 excused and not voting.

The Chair declared the call raised.



Pending.

## NOTICE OF COMMITTEE HEARINGS

### Education

Room 1525

LB 1017	Monday, January 30, 2006	1:30 p.m.
LB 1024	Monday, January 30, 2006	1:30 p.m.
LB 1167	Monday, January 30, 2006	1:30 p.m.
LB 1262	Monday, January 30, 2006	1:30 p.m.
LB 998	Tuesday, January 31, 2006	1:30 p.m.
LB 1050	Tuesday, January 31, 2006	1:30 p.m.
LB 1243	Tuesday, January 31, 2006	1:30 p.m.
LB 803	Monday, February 6, 2006	1:30 p.m.
LB 890	Monday, February 6, 2006	1:30 p.m.
LB 961	Monday, February 6, 2006	1:30 p.m.
LB 1006	Monday, February 6, 2006	1:30 p.m.
LB 1118	Monday, February 6, 2006	1:30 p.m.
LB 1138	Monday, February 6, 2006	1:30 p.m.

(Signed) Ron Raikes, Chairperson

## ANNOUNCEMENT

The Education Committee designates LB 1024 as its priority bill.

## RESOLUTION

**LEGISLATIVE RESOLUTION 277.** Introduced by Smith, 48.

WHEREAS, Dean Gorsuch, from Gering, Nebraska, has become an accomplished professional rodeo cowboy and competes on the Professional Rodeo Cowboys Association circuit; and

WHEREAS, Dean placed second at the 2005 PRCA National Finals Rodeo in Las Vegas in steer wrestling; and

WHEREAS, Dean placed sixth in the PRCA World Standings for steer wrestling; and

WHEREAS, Dean was honored as a "hometown hero" on January 14, 2006, in recognition of his many accomplishments as a professional rodeo cowboy.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Dean Gorsuch on his accomplishments in a sport that embodies the grit and determination of Nebraskans.

2. That a copy of this resolution be sent to Dean Gorsuch.

Laid over.

### **GENERAL FILE**

**LEGISLATIVE BILL 72.** Senator Chambers offered the following amendment to the Standing Committee amendment:

FA358

Amend AM1841

P. 6, line 13 strike "any" and insert "all"

The Chambers amendment was adopted with 25 ayes, 0 nays, 11 present and not voting, and 13 excused and not voting.

The Standing Committee amendment, AM0059, found on page 345 and considered on page 545, First Session, 2005, and on page 414, as amended, was renewed.

The Standing Committee amendment, as amended, was adopted with 27 ayes, 0 nays, 8 present and not voting, and 14 excused and not voting.

Senator Stuhr withdrew her pending amendment, AM0619, found on page 918, First Session, 2005.

Pending.

### **UNANIMOUS CONSENT - Add Cointroducers**

Senator Dw. Pedersen asked unanimous consent to add his name as cointroducer to LBs 772, 790, and 932. No objections. So ordered.

Senator Howard asked unanimous consent to add her name as cointroducer to LB 1013. No objections. So ordered.

### **WITHDRAW - Cointroducer**

Senator Dw. Pedersen withdrew his name as cointroducer to LB 849.

### **VISITORS**

Visitors to the Chamber were Dental Hygienist Students of Nebraska; 19 eighth-grade students and teacher from Helen Hyatt School, Lincoln; and Randy Thomas from Lincoln.

The Doctor of the Day was Dr. Tim Dalton from Lincoln.

**ADJOURNMENT**

At 11:58 a.m., on a motion by Senator Cudaback, the Legislature adjourned until 10:00 a.m., Monday, January 23, 2006.

Patrick J. O'Donnell  
Clerk of the Legislature

